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16 fka The Bank of New York as Trustee for the
17 Certificateholders CWALT, Inc., Alternative
18 Loan Trust 2005-3CB Mortgage Pass-Through
19 Certificates, Series 2005-3CB*

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

1 THE BANK OF NEW YORK MELLON FKA
2 THE BANK OF NEW YORK AS TRUSTEE
3 FOR THE CERTIFICATEHOLDERS CWALT,
4 INC., ALTERNATIVE LOAN TRUST 2005-
5 3CB MORTGAGE PASS-THROUGH
6 CERTIFICATES, SERIES 2005-3CB,

7 Plaintiff,

8 v.

9 HIGHLAND RANCH HOMEOWNERS
10 ASSOCIATION; KERN & ASSOCIATES,
11 LTD; TBR I, LLC; AIRMOTIVE
12 INVESTMENTS LLC; DOE INDIVIDUALS I-X,
13 inclusive, and ROE CORPORATIONS I-X,
14 inclusive,

15 Defendants.

16 Case No. 3:16-cv-00436-RCJ-WGC

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**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE JOINT
PRETRIAL ORDER
(SECOND REQUEST)**

29 The Bank of New York Mellon fka The Bank of New York as Trustee for the
30 Certificateholders CWALT, Inc., Alternative Loan Trust 2005-3CB Mortgage Pass-Through
31 Certificates, Series 2005-3CB (**BoNYM**) and Highland Ranch Homeowners Association (**Highland**
32 **Ranch**), by and through their respective counsel, hereby stipulate and agree to extend the deadline to
33 file a joint pretrial order by fourteen (14) days, to **September 22, 2020**.

1 The Court entered an order granting in part and denying in part Highland Ranch's motion for
 2 summary judgment on July 8, 2020, finding BoNYM's claim for deceptive trade practices against
 3 Highland Ranch survived summary judgment and remained pending for trial. (ECF No. 116). Based
 4 on this order, and the parties' first stipulation to extend the joint pretrial order deadline, the current
 5 deadline to file a joint pretrial order is September 8, 2020.

6 The parties continue to work on a draft joint pretrial order but require additional time to fully
 7 and accurately complete their respective portions. Further, the parties remain engaged in settlement
 8 negotiations, which if successful would resolve the remaining claim for trial. The parties therefore
 9 request a two-week extension to submit a joint pretrial order, which will allow the parties to continue
 10 working towards a potential resolution.

11 This is the parties' second request to extend the joint pretrial order deadline. This request is
 12 not made to cause delay or prejudice to any party.

13 DATED this 4th day of September, 2020

| 14 | AKERMAN LLP | LAXALT & NOMURA, LTD. |
|----|---|---|
| 15 | <u>/s/ Nicholas E. Belay</u> NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125 NICHOLAS E. BELAY, ESQ. Nevada Bar No. 15175 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134 | <u>/s/ Holly S. Parker</u> HOLLY S. PARKER, ESQ. Nevada Bar No. 10181 RYAN W. LEARY, ESQ. Nevada Bar No. 11630 9790 Gateway Drive, Suite 200 Reno, NV 89511 |
| 16 | <i>Attorneys for The Bank of New York Mellon</i> | <i>Attorneys for Highland Ranch Homeowners Association</i> |
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COURT APPROVAL

22 IT IS SO ORDERED. Dated:

23 September 8, 2020.

24 William G. Cobb

25 UNITED STATES MAGISTRATE JUDGE
 26 Case No. 3:16-cv-00436-RCJ-WGC